

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 03 30298 MAP

JAMES TULGAN,
Plaintiff

v.

BERKSHIRE ARMORED CAR
SERVICES CO., INC. PROFIT SHARING
PLAN, BERKSHIRE ARMORED CAR
SERVICES CO., INC., GERARD S.
REDER AND JACQUELINE POWERS

Defendants

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U.S. DISTRICT COURT
DISTRICT OF MASS.

PLAINTIFF'S ANSWER TO COUNTERCLAIM OF DEFENDANT GERARD S. REDER.

FIRST DEFENSE

1. The defendant in counterclaim admits the allegations in paragraph 1 of the counterclaim.
2. The defendant in counterclaim admits the allegations in paragraph 2 of the counterclaim except to state his residential address is 53 Edison Avenue.
3. The defendant in counterclaim admits he was employed by the defendant Berkshire Armored Car Services Co., Inc. for approximately eight years and, upon information and belief, admits Reder was a principal and shareholder of that corporation.
4. The defendant in counterclaim denies the allegations in paragraph 4 of the counterclaim.
5. The defendant in counterclaim denies the allegations in paragraph 5 of the counterclaim.
6. The defendant in counterclaim denies the allegations in paragraph 6 of the counterclaim.
7. The defendant in counterclaim denies the allegations in paragraph 7 of the counterclaim.

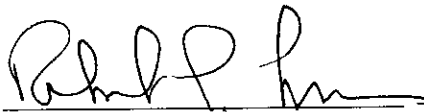
SECOND DEFENSE

All claims asserted in the counterclaim are barred by the applicable statutes of limitations.

THIRD DEFENSE

Claims asserted in the counterclaim were terminated by accord and satisfaction and release.

The Defendant in Counterclaim,
By his Attorney,



Robert L. Leonard, Esquire
Doherty, Wallace, Pillsbury
& Murphy, P.C.
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B.B.O. Number: 294060

CERTIFICATE OF SERVICE

I, Robert L. Leonard, Esq., hereby certify that on January 16, 2004, I served a copy of the foregoing document on the parties to the case by mailing a copy of the same postage prepaid to:

Jack E. Houghton, Jr., Esq.
78 Bartlett Avenue
Pittsfield, MA 01201



Robert L. Leonard, Esq.